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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,714	07/03/2001	Kim E. Belenger	82937	2453

7590 09/30/2004

Office Of Counsel, Bldg 112T  
Naval Undersea Warfare Center  
Division, Newport  
1176 Howell Street  
Newport, RI 02841-1708

EXAMINER

WILSON, YOLANDA L

ART UNIT PAPER NUMBER

2113

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/898,714

Applicant(s)

BELENGER ET AL.

Examiner

Yolanda Wilson

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2113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 4-8 and 11-24 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 4-6, 19 and 21-24 is/are allowed.  
6) ☒ Claim(s) 7, 8, 12-18 and 20 is/are rejected.  
7) ☒ Claim(s) 11 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**FINAL DETAILED ACTION**

***Allowable Subject Matter***

1. Claims 4-6,19,21,22,23,24 are allowed.

***Claim Objections***

2. Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 7,8,12-18,20 rejected under 35 U.S.C. 102(e) as being anticipated by Stone. As per claim 7, Stone discloses creating an input data file for said test object functional element by prompting a user for data format and content compatible with said predetermined interface protocol; storing said input data file; creating a test generation file by providing said user with a plurality of task creation options whereby selected task creation options are input into said test generation file which is written in a predetermined high level interface programmers' language adapted for compilation into computer code executable statements compatible with said predetermined protocol;

compiling said test generation file and said input data file to produce a test case executable file in a preferred programming language based on said selected task creation options; initiating a test utilizing said test case executable file and said input data file for testing said test object functional element and said at least one interface by monitoring a status of said test; and storing test result data related to said test in column 5, lines 15-67; column 8, lines 10-20.

5. As per claim 8, Stone discloses said step of creating a test generation file further comprises selecting test initiation features column 5, lines 15-67.

6. As per claim 12, displaying said input data to a user on a file viewer. It would be inherent when the application was developed for the input data to be seen by the user.

7. As per claim 13, Stone discloses comparing said test result data with expected results from said test object functional element utilizing said input data file in column 7, lines 16-64.

8. As per claim 14, Stone discloses a test case data file producing subsystem for facilitating the production by a user of at least one file of test case data, said test case data producing subsystem being operative for identification of an input data structure and to utilize said input data structure to prompt a user for input values of said test case data, said test case data producing subsystem being operative to store said at least one file of test case data; a test case generation file producing subsystem for facilitating the production by said user of a test case generation file, said test case generation file producing subsystem providing a plurality of user interface task options to provide the user with a choice among them in developing a test case generation file of a selected at

least one interface task of said plurality of interface tasks, said selected at least one interface task being for communication to said test object functional element through a first predetermined at least one communication interface; a test case execution subsystem to effect operation of said test object functional element based on said user selected at least one interface task and said at least one file of test case data, whereby said test case execution subsystem enables said user to test said test object functional element for validity and accuracy of its operation by monitoring a second predetermined at least one of the remaining communication of interfaces of said plurality of communication interfaces in column 5, lines 15-43.

9. As per claim 15, Stone discloses said input data structure is utilized to prompt a user for test case data being in a form cooperatively associated with said predetermined interface communication protocol to constrain said at least one test case data file to be compatible with said predetermined interface protocol; said plurality of user interface task options provided by said test case generation file producing subsystem being in form cooperatively associated with said predetermined interface communication protocol to constrain said selected at least one interface task to be written in a predetermined high level interface programmers' language adapted for compilation into computer code executable statements compatible with said predetermined interface protocol; and said operation of said test object functional element effected by said test case execution subsystem comprising said operation of said test object functional element using a file of compiled executable statements based upon said test case data and said test case generation file in column 5, lines 15-43.

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10. As per claim 16, Stone discloses said interface communication protocol being a protocol for inter-process communication of an application interface task from said test object functional element to at least one other functional element which also forms a portion of said computer system; said plurality of interfaces including a subsystem for implementing said inter-process communication interface protocol in column 5, lines 15-43.

11. As per claim 17, Stone discloses said test case execution subsystem is operable to effect operation of another test object functional element simultaneously with operation of said test object functional element in column 5, lines 15-43.

12. As per claim 18, Stone discloses said test case execution subsystem is operable to monitor said at least one interface between said test object function element and said another test object functional element in column 5, lines 15-43.

13. As per claim 20, Stone discloses said test case generation file producing subsystem is operative to provide the user a choice among a plurality test initiation events to cause the test to be performed upon a selected test initiation event to start flow of said test case data into said first functional element column 5, lines 15-43.

#### ***Response to Arguments***

14. Applicant's arguments filed 07/08/2004 have been fully considered but they are not persuasive. Applicant states that the rejection under 35 USC 102(b) should be 35 USC(e). Examiner agrees with Applicant on this issue, but the rejection using the prior art Stone still stands as indicated above.

***Conclusion***

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

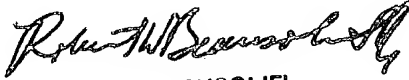
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yolanda Wilson whose telephone number is (703) 305-3298. The examiner can normally be reached on M-F (7:30-4:00). I can be reached at a new number, (571) 272-3653, after October 15, 2004.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (703) 305-9713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
ROBERT BEAUSOLIEL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100